

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Leanne Fornelli	Team: Team # 1	CCRB Case #: 201212762	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 09/14/2012 4:54 PM	Location of Incident: 136-28 35th Avenue	Precinct: 109	18 Mo. SOL 3/14/2014	EO SOL 3/14/2014	
Date/Time CV Reported Wed, 09/26/2012 2:10 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 10/02/2012 2:23 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Jason Ragoo	01854	939268	109 PCT
2. POM Jared Rothschild	21450	931105	109 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Victor Crespo	04990	929959	109 PCT
2. POM Mohammed Qureshi	17106	939264	109 PCT
3. POM Bilal Ishaq	05539	939742	109 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Jason Ragoo	Abuse: PO Jason Ragoo stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.	
B.POM Jared Rothschild	Abuse: PO Jared Rothschild stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.	
C.POM Jason Ragoo	Discourtesy: PO Jason Ragoo spoke discourteously to § 87(2)(b)	
D.POM Jason Ragoo	Abuse: PO Jason Ragoo searched § 87(2)(b)	

Case Summary

On September 27, 2012, § 87(2)(b) filed this complaint with the Internal Affairs Bureau (IAB) via telephone. It was received by the Civilian Complaint Review Board (CCRB) on October 2, 2012, under IAB log number 12-51360 (encl. 5a).

On September 14, 2012, at approximately 4:54 p.m., § 87(2)(b) and § 87(2)(b) were pulled over in § 87(2)(b)'s vehicle at 136-28 35th Avenue in Queens by two officers. The following allegations resulted from this interaction:

Allegation A: Abuse of Authority: PO Jason Ragoo stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.

Allegation B: Abuse of Authority: PO Jared Rothschild stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.

Allegation C: Discourtesy: PO Jason Ragoo spoke discourteously to § 87(2)(b)

Allegation D: Abuse of Authority: PO Jason Ragoo searched § 87(2)(b)

§ 87(2)(g)

Results of Investigation

Civilian Statements

Complainant/Victim: § 87(2)(b)

- § 87(2)(b) is a § 87(2)(b)-year-old Hispanic male who stands 5'7" tall, weighs 140 pounds, and has black hair and brown eyes. § 87(2)(b)

CCRB Testimony

On October 9, 2012, § 87(2)(b) was interviewed at the CCRB (encl. 7b-7h). His statement was consistent with his phone statement on October 4, 2012 (encl. 7a), and his original complaint on September 26, 2012 (encl. 5a). All statements are summarized below.

On September 14, 2012, at approximately 4:54 p.m., § 87(2)(b) was driving his black 1997 Volkswagen Jetta, New York license plate § 87(2)(b), and his brother, § 87(2)(b) was in the front passenger seat. § 87(2)(b) and § 87(2)(b) were on their way to § 87(2)(b)'s residence, located at § 87(2)(b) in Queens. § 87(2)(b) was wearing blue jeans, a long sleeved black shirt and black sneakers.

§ 87(2)(b) stopped behind another vehicle at a red light at 35th Avenue in Queens (the cross street was not recalled). An unmarked, navy blue Chevy Impala drove the opposite way on 35th Avenue and stopped momentarily next to § 87(2)(b)'s car. § 87(2)(b) glanced over quickly and then continued conversing with § 87(2)(b). § 87(2)(b) recognized the car as an unmarked police vehicle because he is accustomed to their appearance. Shortly thereafter, the light turned green and § 87(2)(b) proceeded to make a right on 35th Avenue. When § 87(2)(b) reached Linden Place approximately four blocks down the road, the police vehicle pulled over § 87(2)(b).

Two plainclothes officers, identified via investigation as PO Jason Ragoo (described as an Asian male, possibly Indian, dark complexion, black hair, brown eyes, 5'6" tall, 180 to 200 pounds, muscular build, between 28 and 32 years of age, with a tattoo on one of his arms) and PO

Jared Rothschild (described as a white male, 5'7" tall, 170 pounds, dirty blonde or brown hair, between 35 and 40 years of age) of the 109th Precinct, exited the police vehicle. PO Ragoo went to the driver's window and PO Rothschild went to the passenger's window. The officers asked § 87(2)(b) and § 87(2)(b) for their identifications and they complied. § 87(2)(b) asked PO Ragoo why he was being pulled over. PO Ragoo said, "You don't have to ask me any fucking questions." § 87(2)(b) said, "But why are you even cursing at me? I'm just asking you why are you pulling me over." PO Ragoo said, "Shut the fuck up." § 87(2)(b) continued to ask why he was being pulled over and PO Ragoo said, "Get out of the car." § 87(2)(b) complied. § 87(2)(b) also got out of the car and began calmly conversing with PO Rothschild.

A marked police car driving west on 35th Avenue approached and pulled over. A uniformed officer, PO3 (described as a white female, 5'6" tall, 120 pounds, dirty blonde hair, between 25 and 30 years of age, with a name similar to "Cagney" on her badge), exited from the driver's seat and began directing the rush hour traffic. Another uniformed officer, PO4 (described as a light-skinned Hispanic or white male, black hair, 5'7" tall, thin build), exited the car and walked over to PO Rothschild and § 87(2)(b). A marked police van with two uniformed officers, PO5 (described as a white male) and PO6 (described as a male), also pulled over, but they never exited their vehicle.

While § 87(2)(b) was facing his car, PO Ragoo reached into his front pockets and retrieved his wallet and a cellphone from his front left pocket and a knife and numerous keys from his front right pocket. The foldable knife had a silver grip (two and a half inches long) and a 1.25-inch non-disposable blade, the tip of which was broken off. PO Ragoo placed these items on the hood of § 87(2)(b)'s car. PO Ragoo patted down § 87(2)(b)'s back pockets, which were empty. PO Ragoo instructed § 87(2)(b) to step to the back of the car and he did so.

§ 87(2)(b) asked PO Ragoo why he was doing what he was doing. PO Ragoo retrieved the knife from the top of the car and said to § 87(2)(b) "I'm gonna take you in for this thing." PO Ragoo handcuffed § 87(2)(b). PO Ragoo pushed § 87(2)(b)'s back so that his chest was against the trunk of his car. During this time, § 87(2)(b) asked PO3 to observe the actions of PO Ragoo, but PO3 turned her back so that she did not see anything. § 87(2)(b) continued to ask PO Ragoo for an explanation for his actions, and PO Ragoo responded, "I told you to shut the fuck up."

PO Ragoo brought § 87(2)(b) to the unmarked police vehicle and placed him in the back seat. PO Ragoo got inside the driver's seat. PO Ragoo looked at § 87(2)(b)'s driver's license, which he had in his hand, and said, "How old are you?" § 87(2)(b) said, "I'm thirty-eight, my birthday is on Monday." PO Ragoo then took both hands and beat the steering wheel repeatedly while saying, "Fuck, fuck, fuck, fuck."

PO Ragoo exited the car and spoke to PO Rothschild and § 87(2)(b) but § 87(2)(b) could not hear what was said. When PO Ragoo and PO Rothschild re-entered the police vehicle, they explained to § 87(2)(b) that he had been pulled over because he fit the description of a black male who had just committed a robbery with another black male in the area. PO Ragoo told § 87(2)(b) to take § 87(2)(b)'s car. At the 109th Precinct stationhouse, § 87(2)(b) was eventually released with a desk appearance ticket for criminal possession of a weapon.

Victim: § 87(2)(b)

- § 87(2)(b) is a § 87(2)(b)-year-old Hispanic male who stands 5'8" tall, weighs 180 pounds, and has black hair and brown eyes. § 87(2)(b)

CCRB Testimony

On October 12, 2012, § 87(2)(b) was interviewed at the CCRB (encl. 8b-8j). § 87(2)(g)

On September 14, 2012, § 87(2)(b) was wearing a gray tee shirt, blue jogging pants with a pocket on each side and white sneakers. § 87(2)(b) had a pouch around his waist that was carrying gloves, keys and his wallet.

After the officers asked § 87(2)(b) and § 87(2)(b) to exit the car, § 87(2)(b) conversed with PO Rothschild (described as a white male, 5'7" or 5'8" tall, chubby body build, 210 or 220 pounds, in his thirties, dressed in street clothes) and § 87(2)(b) conversed with PO Ragoo (described as a Middle Eastern male, 5'7" to 5'8" tall, 180 to 190 pounds, black hair, in his thirties, dressed in street clothes). § 87(2)(b)'s cousin, an unidentified male § 87(2)(b) refused to provide contact information for this person), walked by. From across the street, the male asked § 87(2)(b) "Are you guys all right?" § 87(2)(b) replied, "Yeah, yeah. We're all right, don't worry about it, go, go home." The male kept walking.

Three other marked patrol cars arrived to the scene with two officers in each. PO3 (described as a white female, blonde hair, in her 40s) and PO4 (described as a male) arrived in the first marked car. PO5 (described as a Middle Eastern male with a black beard, 5'7" tall, approximately 150 pounds) and PO6 (described as a Middle Eastern male) arrived in the second marked car. PO7 and PO8, for whom § 87(2)(b) could not recall any physical description, arrived in the third marked car.

PO Rothschild asked § 87(2)(b) if he could search him and § 87(2)(b) granted consent. § 87(2)(b) was instructed to put his hands on top of the car, which he did. PO Rothschild patted the front of § 87(2)(b)'s chest and moved down to his ankles, while patting the front, side and back of his body. PO Rothschild did not go into any of § 87(2)(b)'s pockets. § 87(2)(b) told PO Rothschild that his identification was in the pouch and that PO Rothschild could open it if he wanted. Either PO Rothschild or § 87(2)(b) opened the pouch (who was not recalled), and § 87(2)(b) pointed to his wallet and told PO Rothschild that his identification was in there. PO Rothschild retrieved the wallet from the pouch, opened it and took out § 87(2)(b)'s identification.

During this time, § 87(2)(b) overheard PO Ragoo say to § 87(2)(b) "I don't have to fucking tell you anything, I don't have to tell you a fucking thing." § 87(2)(b) continued to ask why he was getting pulled over and PO Ragoo repeated, "I don't have to tell you a fucking thing." PO Ragoo said to § 87(2)(b) "Shut your mouth, or you're going to get arrested." § 87(2)(b) asked why he was going to be arrested and said he had the right to know why he was being stopped. PO Ragoo said, "I don't have to tell you a fucking thing. Matter of fact, I'm taking your ass in." PO Ragoo handcuffed § 87(2)(b).

PO Rothschild said there was a robbery committed in the neighborhood by perpetrators described as two black males, ages 28 to 30. § 87(2)(b) said, "It seems like I don't fit that description." PO Rothschild said, "Right, you don't." PO Rothschild handed § 87(2)(b)'s identification to PO5 or PO6, who took it back to their patrol car for approximately two or three minutes before giving it back to him. PO Rothschild said to § 87(2)(b) "Take the car." § 87(2)(b) got into § 87(2)(b)'s car and drove away.

Attempts to Contact Civilians

- § 87(2)(b) was identified by complaint report number § 87(2)(b) (encl. 12d-12f) as the complainant/victim of the robbery that occurred prior to the stop of § 87(2)(b)'s vehicle. The phone number for § 87(2)(b) as listed on the complaint report was not a working number. On June 21, 2013, a LexisNexis search was conducted for § 87(2)(b) that yielded a phone number and an address. On June 21, 2013, and June 26, 2013, two please call letters were sent to § 87(2)(b) and they have not been returned by the United States Postal Service. On June 28, 2013, on the fourth attempt to call the phone number from the LexisNexis search, § 87(2)(b) Jeo Carlo answered, confirmed the investigator dialed correctly and stated that he did not know § 87(2)(b). On September 4, 2013, a search of the New York City Department of Corrections website revealed that § 87(2)(b) is not incarcerated. To date, § 87(2)(b) has not contacted the undersigned investigator.
- § 87(2)(b) refused to provide information for the unidentified male who walked by during the incident. This individual did not interact with the officers. Without further information, this individual could not be identified and contacted.

NYPD Statements:

Subject Officer: PO JASON RAGOO

- *PO Ragoo is a § 87(2)(b)-year-old Asian male who stands 5'7" tall, weighs 200 pounds, and has black hair and brown eyes.*
- *On September 14, 2012, PO Ragoo was on duty from 3:00 p.m. until 11:35 p.m., was assigned to Anti-Crime with PO Rothschild, was in plainclothes and was assigned to an unmarked black Chevy Impala, number not recalled.*

Memo Book

PO Ragoo made the following notations in his memo book (encl. 9a-9c). At 4:45 p.m., § 87(2)(b) was stopped in front of 136-28 35th Avenue and was in possession of a gravity knife clipped to his front right pocket. The defendant was belligerent and combative. At 4:54 p.m., the defendant was placed under arrest.

Arrest Report, Desk Appearance Ticket and Criminal Court Complaint

PO Ragoo completed an arrest report, desk appearance ticket and criminal court complaint for the events on September 14, 2012. § 87(2)(a) 160.50, § 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

CCRB Testimony

On February 19, 2013, PO Ragoo was interviewed at the CCRB (encl. 9k-9n).

On September 14, 2012, at approximately 4:54 p.m., PO Ragoo responded to a robbery at knifepoint that had been called over the radio and was currently in progress. The description of the perpetrators was either two black or Hispanic males with dark clothing that left the site of the robbery in a vehicle. No descriptive information was put over the radio about the vehicle the perpetrators were using. PO Ragoo did not recall the exact address of the robbery except that it was on Union Street.

After two to five minutes of receiving the radio run, a couple blocks away from Union Street, PO Ragoo and PO Rothschild simultaneously observed two individuals later identified as § 87(2)(b) and § 87(2)(b) heading westward in their vehicle. Later in the

interview, PO Ragoo said that the vehicle was travelling north while the police vehicle was travelling south. The police vehicle travelled at ten or fifteen miles per hour when passing the other vehicle, which allowed PO Ragoo to observe the occupants head-on for thirty to forty seconds. The vehicle stood out to PO Ragoo because the occupants matched the description of the perpetrators of the robbery and it was travelling away from the location of the robbery. PO Ragoo, who was driving the unmarked black Chevy Impala, made a U-turn and pulled over the vehicle with his lights and siren at 136-28 35th Avenue.

PO Ragoo went to the driver's side of the vehicle, where § 87(2)(b) was sitting, and PO Rothschild went to the front passenger's side of the vehicle, where § 87(2)(b) was sitting. As PO Ragoo was approaching, § 87(2)(b) stuck his head out of the window and turned to face PO Ragoo. § 87(2)(b) said, "Why are you stopping me? You have no right to stop me. You guys are always doing this to me." PO Ragoo asked § 87(2)(b) for his driver's license and § 87(2)(b) said, "Why are you stopping me?" PO Ragoo asked again for § 87(2)(b)'s license and § 87(2)(b) again asked, "Why are you stopping me?" PO Ragoo told § 87(2)(b) that once he obtained his license and verified who he was, he would provide a reason for the stop. § 87(2)(b) gave PO Ragoo his license and PO Ragoo asked for the registration of the vehicle. § 87(2)(b) asked for a third time, "Why are you stopping me?" PO Ragoo did not recall if he said, "You don't have to ask me any fucking questions," and did not hear PO Rothschild say this. PO Ragoo did not say, "Shut the fuck up," nor did he hear PO Rothschild say this. PO Ragoo asked for the registration of the vehicle again and § 87(2)(b) opened the vehicle door and put one foot out. PO Ragoo stopped the door from opening and said, "Why don't you just get back in the vehicle." § 87(2)(b) said, "No, why you stopping me?"

§ 87(2)(b) exited the vehicle entirely by pushing open the door that PO Ragoo had been holding. § 87(2)(b) who was now face to face with PO Ragoo, clenched his fists at his side and widened his stance. § 87(2)(b) asked, "Why are you stopping me?" Later in the interview, PO Ragoo said that § 87(2)(b) said, "Fuck you," "Why the fuck are you stopping me?", "You're always doing this fucking shit," and "I didn't fucking do anything." PO Rothschild asked § 87(2)(b) to step out of the car. § 87(2)(b) exited the car and said to § 87(2)(b) "Calm down, don't act like that. They're doing their jobs, let them do what they gotta do." PO Ragoo did not say, "I don't have to tell you a fucking thing," or "as a matter of fact, I'm taking your ass in," nor did PO Rothschild say this.

PO Ragoo noticed a knife clipped inside § 87(2)(b)'s front right pocket and PO Ragoo guessed this was a gravity knife. The hinge that connected the blade and the black handle of the knife, which was folded in, was visible and the shape of the knife could be seen through the fabric of § 87(2)(b)'s jeans. The knife in its folded position was two or three inches wide and five or six inches long.

PO Ragoo removed the knife from § 87(2)(b)'s pocket by pulling on the knife. PO Ragoo told § 87(2)(b) to turn around, but he did not comply. § 87(2)(b) said, "You have no right to stop me, to search me." PO Ragoo flicked the knife open with his wrist to confirm it was a gravity knife, observed the blade was three to four inches long and then placed the knife in his own back pocket. PO Ragoo handcuffed § 87(2)(b). PO Ragoo led § 87(2)(b) to the rear of the car and performed a frisk pursuant to a lawful arrest for the gravity knife. PO Ragoo put the stop over the radio at some point during the incident and a show up was conducted for which other officers (who not recalled) drove by with the complainant of the robbery, who said that § 87(2)(b) and § 87(2)(b) were not the perpetrators.

PO Ragoo placed § 87(2)(b) in the backseat of the unmarked police vehicle and he re-entered the driver's seat. PO Ragoo did not say "fuck" repeatedly while inside the police

vehicle. PO Rothschild remained outside and spoke to § 87(2)(b). After five minutes, PO Rothschild and PO Ragoo transported § 87(2)(b) to the stationhouse for arrest processing. § 87(2)(b) was released with a desk appearance ticket.

Subject Officer: PO JARED ROTHSCILD

- *PO Rothschild is a § 87(2)(b) -year-old white male who stands 5'8" tall, weighs 230 pounds, and has brown hair and brown eyes.*
- *On September 14, 2012, PO Rothschild was on duty from 3:00 p.m. until 11:35 p.m., was assigned to Anti-Crime with PO Ragoo, was dressed in plainclothes and was using an unmarked black Chevy Impala, number 475.*

Memo Book

PO Rothschild made the following notations in his memo book (encl. 10a). At 4:35 p.m., a robbery was called in that took place on 34th Avenue and Union Street. At 4:42 p.m., a car was stopped in front of 136-28 35th Avenue with New York plate number § 87(2)(b). At 4:42 p.m., PO Ragoo arrested § 87(2)(b) for § 87(2)(a) 160.50.

Stop, Question, and Frisk Report

PO Rothschild generated Stop, Question, and Frisk report number § 87(2)(b) (encl. 10b-10d) for an unnamed, § 87(2)(b) -year-old black Hispanic male on the suspicion of burglary. The report states the basis for the frisk as refusal to comply with directions, violent crime suspected and furtive movements.

CCRB Testimony

On February 15, 2013, and March 21, 2013, PO Rothschild was interviewed at the CCRB (encl. 10e-10i). § 87(2)(g)

The perpetrators of the robbery were described as two male blacks that had run westbound on foot on 34th Avenue. PO Rothschild observed § 87(2)(b) and § 87(2)(b) stopped at a red light in a black Volkswagen and due to PO Rothschild's experience in Anti-Crime, he thought that if § 87(2)(b) and § 87(2)(b) did commit the robbery, they could have escaped to a getaway car that was not seen by a witness. As the police vehicle passed going in the opposite direction, § 87(2)(b) and § 87(2)(b) stared at the two officers and were looking at where the officers were going. PO Rothschild turned around in his seat and saw that § 87(2)(b) and § 87(2)(b) had also turned their heads to keep observing the actions of the officers. This suggested to PO Rothschild that § 87(2)(b) and § 87(2)(b) could be criminals who were accustomed to the appearance of undercover officers. In his second interview, PO Rothschild said that when the officers passed § 87(2)(b)'s vehicle, it immediately made a right turn on a red light, which made PO Rothschild suspect that they were changing directions at the sight of the officers.

PO Rothschild recommended to PO Ragoo that he pull the vehicle over because he was suspicious of § 87(2)(b)'s and § 87(2)(b)'s interest in where the officers were going, given that a robbery had just occurred in the area and they fit the descriptions of the perpetrators. When § 87(2)(b)'s vehicle was approached, PO Rothschild never heard PO Ragoo say, "You don't have to ask me any fucking questions," or "shut the fuck up." PO Rothschild and PO Ragoo instructed § 87(2)(b) and § 87(2)(b) respectively to get out the vehicle. PO Rothschild asked § 87(2)(b) to get out of the vehicle because he did not know if there was a weapon in the car, a suspicion he had because of

§ 87(2)(b) s anger at being pulled over. When asked what about the vehicle made PO Rothschild suspect that a weapon could be in the vehicle, PO Rothschild clarified that he was not concerned that a weapon could be in the car, but instead on § 87(2)(b) s person. This suspicion arose from § 87(2)(b) s behavior of cursing and acting belligerent towards PO Ragoo by tensing his body.

PO Rothschild asked § 87(2)(b) questions that included, “Where are you coming from?” and “Have you ever been in this area before?” and “Do you live in the area?” § 87(2)(b) was cooperative and answered that he was coming from work and lived approximately seven blocks from where they were stopped. PO Ragoo moved § 87(2)(b) to the back of the vehicle. PO Rothschild learned from PO Ragoo after § 87(2)(b) was handcuffed that a knife was found on his person. PO Rothschild never heard PO Ragoo say, “I don’t have to tell you a fucking thing,” or “I’m taking your ass in.”

PO Rothschild had § 87(2)(b) put his hands on the vehicle and he frisked him in the waistband area, over his chest area and down the front of his torso. Then, PO Rothschild frisked down the sides, fronts and backs of § 87(2)(b) s legs. This frisk of § 87(2)(b) yielded negative results. Nothing on § 87(2)(b) s person suggested that he had a weapon, but PO Rothschild wanted to be sure because § 87(2)(b) was wearing baggy clothes that included a hooded sweatshirt. PO Rothschild observed no bulges on § 87(2)(b) s person before the frisk was conducted.

PO Rothschild requested § 87(2)(b) s identification and § 87(2)(b) retrieved this by himself from his wallet that was in his pants pocket. PO Rothschild never reached into a pouch to retrieve § 87(2)(b) s wallet. PO Rothschild explained to § 87(2)(b) that they were being stopped because a robbery had occurred in the area, they fit the description of the perpetrators and they had been watching the actions of the officers.

During this time, PO Ragoo had escorted § 87(2)(b) to the rear of the car and frisked him. § 87(2)(b) was then placed in handcuffs and PO Rothschild learned that PO Ragoo had found a knife on his person.

PO Rothschild also explained that they wanted the complainant of the robbery to see § 87(2)(b) and § 87(2)(b) to determine if they were the perpetrators. Additional units that included two to three marked vehicles and four to six officers arrived to the location because the vehicle stop was put over the radio. No other officer had any interaction with § 87(2)(b) or § 87(2)(b) was placed in the rear of the police vehicle. PO Rothschild never heard PO Ragoo say, “fuck” repeatedly.

PO Rothschild reviewed Stop, Question, and Frisk report number § 87(2)(b), which he stated was generated for § 87(2)(b). PO Rothschild said the uncooperative demeanor, refusal to comply with officers directions and evasive, false or inconsistent responses to officer questions referred to § 87(2)(b) and not § 87(2)(b). In reviewing the basis for the frisk, PO Rothschild said the refusal to comply with orders referred to § 87(2)(b) s behavior, the violent crime was the robbery and the furtive movements was in reference to § 87(2)(b) and § 87(2)(b) looking around in the car without reaching for anything as the officers approached. PO Rothschild said the report contained information for both § 87(2)(b) and § 87(2)(b) because they were in the same car.

Witness Officer: SGT VICTOR CRESPO

- SGT Crespo is a § 87(2)(b) -year-old Hispanic male who stands 5’5” tall, weighs 185 pounds, and has black hair and brown eyes.
- On September 14, 2012, SGT Crespo was on duty from 2:50 p.m. until 11:47p.m., was

assigned to patrol supervisor, was working with PO Christine Quinn, was dressed in uniform and was using a marked motor vehicle, make and number not recalled.

Memo Book

SGT Crespo made the following entries in his memo book (encl. 11a-11d). At 4:25 p.m., a robbery was in progress at 34-16 Union Street. At 4:33 p.m., he arrived at on the scene and conducted a canvass.

CCRB Testimony

On May 13, 2013, SGT Crespo was interviewed at the CCRB (encl. 11e-11f). On September 14, 2012, at approximately 4:25 p.m., SGT Crespo conducted a canvass with PO Quinn of 34-16 Union Street, where a robbery had occurred. SGT Crespo did not recall the details of this incident or a radio call being made for a show-up in regard to the robbery. SGT Crespo did not transport a complainant to a show-up in regard to this robbery. SGT Crespo reviewed photographs of § 87(2)(b) and § 87(2)(b) but did not recognize them.

Witness Officer: PO MOHAMMED QURESHI

- *PO Qureshi is a § 87(2)(b)-year-old Asian male who stands 5'6" tall, weighs 155 pounds, and has black hair and brown eyes.*
- *On September 14, 2012, PO Qureshi was on duty from 9:30 a.m. to 6:05 p.m., was assigned to Youth with PO Ishaq, was dressed in uniform and using a marked van, number 5997.*

Witness Officer: PO BILAL ISHAQ

- *PO Ishaq is a § 87(2)(b)-year-old Asian male who stands 5'11" tall, weighs 150 pounds, and has black hair and brown eyes.*
- *On September 14, 2012, PO Ishaq was on duty from 9:30 a.m. until 6:05 p.m., was assigned to Youth with PO Qureshi, was dressed in uniform, and using a marked van, number 5997.*

Memo Books

PO Qureshi made the following notations in his memo book (encl. 12a-12b). At 4:25 p.m., a robbery was in progress at 34-16 Union Street. At 6:05 p.m., the complainant/victim of the robbery refused to make a report and DT Taveras and SGT Crespo were notified.

PO Ishaq made the same notations in his memo book as PO Qureshi, but had the following additional information (encl. 13a-13c): At 4:27, PO Ishaq canvassed the scene of the robbery with the complainant/victim (C/V). At 6:05 p.m., a non-crime was corrected.

Complaint Report

PO Qureshi generated complaint report number § 87(2)(b) (encl. 12c-12f) wherein it states the following information: Two unidentified individuals (one thirty-year-old black male and one seventeen-year-old white Hispanic male) told the criminal complainant, § 87(2)(b) to empty his pockets or they would stab him. The individuals then stole § 87(2)(b)'s iPod and fled southbound on Leavitt Avenue.

CCRB Testimonies

On June 28, 2013, PO Qureshi was interviewed at the CCRB (encl. 12g-12i) and on July 1, 2013, PO Ishaq was interviewed at the CCRB (encl. 13d-13f). § 87(2)(g)

On September 14, 2012, at approximately 4:25 p.m. according to the memo book entries,

PO Qureshi and PO Ishaq responded to a robbery in progress at 34-16 Union Street. PO Qureshi and PO Ishaq canvassed the area in their vehicle with the victim of the crime, identified via investigation as § 87(2)(b) but did not know what the specific streets were that they travelled. PO Ishaq said the perpetrators were described as males, but neither he nor PO Qureshi could recall any additional descriptions that § 87(2)(b) provided of the perpetrators. During the canvass, the patrol vehicle did not stop for any reason. Neither PO Qureshi nor PO Ishaq recalled a show-up being conducted with § 87(2)(b) PO Qureshi and PO Ishaq reviewed photographs of § 87(2)(b) and § 87(2)(b) but the officers did not recognize them.

NYPD Documents

SPRINTs

- In SPRINT job § 87(2)(b) the following information was recorded (encl. 14a-14b): At 4:25 p.m., a male complainant reported a robbery of an iPod that occurred at knife point four minutes earlier by one thirty-year-old black male wearing a white tee shirt and blue jeans and a seventeen-year-old Hispanic male wearing all black. At 4:30 p.m., the following corrections were made: the black male was wearing all black and the Hispanic male was wearing a white tee shirt and blue jeans, no knife was displayed, the victim was strong armed.
- In SPRINT job § 87(2)(b) the following information was recorded (encl. 14c). A car stop was conducted by sector C at 4:42 p.m. that resulted in the arrest of one individual at 4:54 p.m.

Command Log

The command log contains the following entry (encl. 14z). At 4:54 p.m., § 87(2)(b) was arrested and released with desk appearance ticket number § 87(2)(b) at 7:10 p.m.

Arrest for Incident and Disposition

§ 87(2)(b), § 87(2)(a) 160.50
§ 87(2)(b)

Status of Civil Proceedings

§ 87(2)(b) and § 87(2)(b) have not filed a Notice of Claim with the City of New York as of March 21, 2013, with regard to the incident (encl. 15a).

Civilians' Criminal Histories

- § 87(2)(b)
§ 87(2)(b)
■ § 87(2)(b)
§ 87(2)(b)
- § 87(2)(b)
§ 87(2)(b)
■ § 87(2)(b)
§ 87(2)(b)

Civilians' CCRB Histories

This is the first CCRB complaint filed by § 87(2)(b) and involving § 87(2)(b) § 87(2)(b) (encl. 3a-3b).

Subject Officers' CCRB Histories

- PO Ragoo has been a member of the service for eight years and there are no substantiated

- CCRB allegations against him (encl. 2a-2b).
- PO Rothschild has been a member of the service for eleven years and there are no substantiated CCRB allegations against him (encl. 2c).

Conclusion

Identification of Subject Officers

All subject officers acknowledged their participation in this incident.

Allegations Not Pleaded

- § 87(2)(b) alleged that PO Ragoo frisked him § 87(2)(g)
§ 87(2)(b)
§ 87(2)(b)
- § 87(2)(b) said that he gave PO Rothschild consent to search him. § 87(2)(g)
§ 87(2)(b)

Investigative Findings and Recommendations

Allegation A: Abuse of Authority: PO Jason Ragoo stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.

Allegation B: Abuse of Authority: PO Jared Rothschild stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.

It is undisputed that PO Ragoo and PO Rothschild stopped the car occupied by § 87(2)(b) and § 87(2)(b) and § 87(2)(b) stated that the officers told them they were being stopped for a robbery that had just occurred and § 87(2)(b) said that subsequent to the stop, a marked van with two male officers arrived at the incident location. § 87(2)(b) a § 87(2)(b)-year-old Hispanic male, was wearing blue jeans and a long sleeved black shirt. § 87(2)(b) a § 87(2)(b)-year-old Hispanic male, was wearing a gray tee shirt and blue jogging pants.

PO Ragoo and PO Rothschild said that they stopped § 87(2)(b) and § 87(2)(b) because they fit the descriptions of the perpetrators of the robbery that occurred nearby. PO Ragoo said that a “show up” identification was conducted from which it was determined that § 87(2)(b) and § 87(2)(b) were not the perpetrators. Neither PO Qureshi or PO Ishaq, who canvassed the area in their marked van with the victim of the robbery, § 87(2)(b) or their supervisor, SGT Crespo, recalled a show up being conducted.

The SPRINTs generated for the robbery and the car stop do not record a show up being conducted. The complaint report describes the male perpetrators of the robbery as a seventeen-year-old white Hispanic male wearing a white tee shirt and blue jeans and a thirty-year-old black male wearing all black.

§ 87(2)(g)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)

Allegation C: Discourtesy: PO Jason Ragoo spoke discourteously to § 87(2)(b)

§ 87(2)(b) alleged that when he asked why he was being stopped, PO Ragoo said, “You don’t have to ask me any fucking questions,” and “Shut the fuck up.” § 87(2)(b) also said that in the patrol vehicle, PO Ragoo said “fuck” repeatedly while banging the steering wheel. § 87(2)(b) said that during PO Ragoo’s interaction with § 87(2)(b) PO Ragoo said, “I don’t have to fucking tell you anything, I don’t have to tell you a fucking thing,” and “I’m taking your ass in.” PO Ragoo either did not recall or denied making these statements and did not hear PO Rothschild make them. PO Rothschild denied hearing PO Ragoo make these statements. SGT Crespo, PO Qureshi and PO Ishaq did not recall this incident.

§ 87(2)(g)

Allegation D: Abuse of Authority: PO Jason Ragoo searched § 87(2)(b)

§ 87(2)(b) alleged that PO Ragoo reached into his front pockets of his blue jeans where a wallet, cell phone, keys and a knife were found. § 87(2)(b) did not make this allegation, but was on the other side of the car interacting with PO Rothschild during the time it allegedly occurred.

PO Ragoo said that § 87(2)(b) had a gravity knife clipped to his front right pocket, the black handle of which was visible, and that he pulled this knife out of § 87(2)(b) s pocket. PO Ragoo said that § 87(2)(b) was then under arrest for criminal possession of a weapon for the knife, which he determined to be a gravity knife. PO Rothschild only saw PO Ragoo frisk § 87(2)(b) and did not see the knife until after § 87(2)(b) was handcuffed.

§ 87(2)(g)

Team: One

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

